| Attorn y Docket Number | 019/246P  |  |
|------------------------|---|--|
| First Named Invent r   | Gregg B. Morin, et al.                              |  |
| COMPLETE IF KNOWN      |   |  |
| Application Number     | 09 / 244,438  |  |
| Filing Date            | February 4, 1999                                    |  |
| Art Unit               | 1635  |  |
| Examiner Name          | Richard A. Schnizer                                 |  |
|                        | COMPLETE IF Application Number Filing Date Art Unit |  |

| As the below named inventor, I her   | eby declare that:  | <del></del>   |                          |   |
|--|--|---|--------------------------|---|
| My residence, mailing address, and c   | itizenship are as stated belo  | ow next to my name.                                 |                          |   |
| I believe I am the original and first inve   | entor of the subject matter  | which is claimed and for v                          | vhich a patent is sou    | ght on the invention entitled:                                |
| Telomerase   | Promoter Driving Exp   | ression of Therapeu                                 |                          |   |
|  |  |   |                          | Opp   |
|  | (Title of the  | Invention)  |                          |   |
| the specification of which.  | (  | <b>.</b>  |                          |   |
| is attached hereto   |  |   |                          |   |
| OR _   |  |   |                          |   |
| was filed on (MM/DD/YYYY)  | 02/04/1999   | as United States                                    | Application Number       | or PCT International  |
| _  |  |   |                          |   |
| Application Number 09/244,4  | and was amend  | led on (MM/DD/YYYY)                                 |                          | (if applicable).  |
| I hereby state that I have reviewed and any amendment specifically referred to   |  | of the above identified spe                         | ecification, including t | the claims, as amended by                                     |
| I acknowledge the duty to disclose info<br>applications, material information whic<br>international filing date of the continua  | ch became available betwee   |   |                          |   |
| I hereby claim foreign priority benefits breeder's rights certificate(s), or 365(States of America, listed below and hbreeder's rights certificate(s), or any claimed. | under 35 U.S.C. 119(a)-(d<br>a) of any PCT internationa<br>have also identified below. | I application which design by checking the box, and | nated at least one c     | country other than the United for patent, inventor's or plant |
| Prior Foreign Application<br>Number(s)   | Country  | Foreign Filing Date<br>(MM/DD/YYYY)                 | Priority<br>Not Claimed  | Certified Copy Attached?<br>YES NO                            |
|  |  |   |                          |   |
| Additional foreign application nu  | mbers are listed on a suppl  | emental priority data shee                          | et PTO/SB/02B attack     | hed hereto:   |

### **DECLARATION** — Utility or D sign Patent Application

| Direct all correspondence to: Customer N or Bar Code  |         |                     |                  | OR Con                   | respondence address below |
|---|---------|---------------------|------------------|--------------------------|---------------------------|
| Name  |         | 228<br>PATENT TRADE |                  | псе                      |                           |
| Address   |         |                     |                  |                          |                           |
| City  | <b></b> |                     | State            |                          | ZIP                       |
| Country   | Tele    | phone               |                  |                          | Fax                       |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. |         |                     |                  |                          |                           |
| NAME OF SOLE OR FIRST INVENTOR :  |         | A petition h        | as be            | en filed for this unsigr | ned inventor              |
| Given Name Greg (first and middle [if any])   | g B.    |                     |                  | y Name<br>rname          | Morin                     |
| Inventor's<br>Signature   |         |                     |                  | ·                        | Date                      |
| Residence: City   | , .     | State               |                  | Country                  | US<br>Citizenship         |
| 251 Atwe  | ell Dri | ve                  |                  |                          |                           |
| City  |         | Can<br>State        | ada              | M9W 7H4                  | CA<br>Country             |
| NAME OF SECOND INVENTOR:  |         | A petition ha       | s been           | filed for this unsigne   | d inventor                |
| Given Name Serg (first and middle [if any])   | e P.    |                     | Family<br>or Sur |                          | Lichtsteiner              |
| Inventor's<br>Signature   |         |                     |                  |                          | Date                      |
| Encinitas<br>Residence: City  |         | C.A.<br>State       | ١                | US<br>Country_           | CH<br>Citizenship         |
| 1617 Honeys<br>Mailing Address  | uckle   | Court               |                  |                          |                           |
| Encinitas<br>City   |         | C/<br>State         | 4                | 92024<br>ZIP             | US<br>Country             |
| Additional inventors are being named on the _   | 1_sup   | plemental Addition  | onal Inve        | ntor(s) sheet(s) PTO/SB/ | 02A attached hereto.      |

### **DECLARATION**

# ADDITIONAL INVENTOR(S) Supplemental Sheet Page 3 of 3

| Name of Additional      | I Joint Inventor, if an  | y:                  | A petition has been       | en filed for th | his unsigned inventor |
|-------------------------|--------------------------|---------------------|---------------------------|-----------------|-----------------------|
| Given<br>Name           | Alain P.                 |                     | Family Name or Surname    |                 | Vasserot              |
| Inventor's<br>Signature |                          |                     |                           |                 | Date                  |
| Residence: City         | Berkeley                 | California<br>State | Country                   | S               | CH<br>Citizenship     |
| Mailing Address         | 1158 Park Hills R        | load                |                           |                 |                       |
| Mailing Address         |                          |                     |                           |                 |                       |
| City                    | Berkeley                 | StateCalifornia     | 2 ZIP 94708               | Counti          | <sub>try</sub> US     |
|                         | I Joint Inventor, if an  |                     | ☐ A petition has been     |                 |                       |
| Given<br>Name           | Robert R.                |                     | Family Name<br>or Surname |                 | Adams                 |
| Inventor's Signature    | en Mille.                | ms                  |                           |                 | Date 5-29-02          |
| Residence: City         | Redwood City             | State California    | a Country                 | JS              | Citizenship US        |
| Mailing Address         | 419 Hillway Driv         |                     |                           | · ·             |                       |
| Mailing Address         |                          |                     |                           |                 |                       |
| City                    | Redwood City             | State California    | a <sub>ZIP</sub> 94062    | Count           | try US                |
| Name of Additiona       | al Joint Inventor, if an |                     | ☐ A petition has been     | filed for this  | s unsigned inventor   |
| Given<br>Name           | William H.               |                     | Family Name<br>or Surname |                 | Andrews               |
| Inventor's<br>Signature |                          |                     |                           |                 | Date                  |
| Residence: City         | Richmond                 | Californi<br>State  | ia Country                | US              | Citizenship           |
| Mailing Address         | 6102 Park Ave            |                     |                           |                 |                       |
| Mailing Address         |                          |                     |                           |                 |                       |
| City                    | Richmond                 | State Californ      | ia ZIP 9480               | 05 c            | US                    |

019/246P

Gregg B. Morin, et al.

**COMPLETE IF KNOWN** 

PTO/SB/01 (10-01)
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**DECLARATION FOR UTILITY OR** 

**DESIGN PATENT APPLICATION**  Att rney Docket Number

First Named Invent r

| (37 CFR 1   | Application Number   | 09 /   | 244,438                                    |  |  |  |  |
|---|--|--|--|--|--|--|--|
| Declaration   | Declaration  | Filing Date  | Febr                                       | uary 4, 1999   |  |  |  |
| Submitted OR with Initial   | Submitted after Initial<br>Filing (surcharge   | Art Unit   |  | 1635   |  |  |  |
| Filing  | (37 CFR 1.16 (e))<br>required)   | Examiner Name  | Richa                                      | rd A. Schnizer   |  |  |  |
| As the below named inventor, I her  | reby declare that:   |  |  |  |  |  |  |
| My residence, mailing address, and o  | itizenship are as stated belov   | w next to my name.                                       |  |  |  |  |  |
| I believe I am the original and first inv   | entor of the subject matter w  | hich is claimed and for whi                              | ch a patent is soug                        | ght on the invention entitled:                               |  |  |  |
| Telomerase  | Telomerase Promoter Driving Expression of Therapeutic Gene Sequences  (Title of the Invention) |  |  |  |  |  |  |
|   | (Title of the In   | vention)   |  |  |  |  |  |
| the specification of which  |  |  |  |  |  |  |  |
| is attached hereto  |  |  |  |  |  |  |  |
| OR was filed on (MM/DD/YYYY)  | 02/04/1999   | as United States A                                       | pplication Number                          | or PCT International   |  |  |  |
| Application Number 09/244,  | 438 and was amended  | ed on (MM/DD/YYYY)                                       |  | (if applicable).   |  |  |  |
| I hereby state that I have reviewed an any amendment specifically referred to   | d understand the contents of o above.  | the above identified specif                              | ication, including t                       | he claims, as amended by                                     |  |  |  |
| I acknowledge the duty to disclose info<br>applications, material information whic<br>international filing date of the continua   | ch became available between<br>ation-in-part application.                                      | n the filing date of the prior                           | application and the                        | e national or PCT  |  |  |  |
| I hereby claim foreign priority benefits<br>breeder's rights certificate(s), or 365(<br>States of America, listed below and it<br>breeder's rights certificate(s), or any<br>claimed. | (a) of any PCT international a<br>have also identified below, by                               | application which designat<br>v checking the box, any fo | ted at least one co<br>reign application f | ountry other than the United for patent, inventor's or plant |  |  |  |
| Prior Foreign Application<br>Number(s)  | Country  | Foreign Filing Date<br>(MM/DD/YYYY)                      | Priority<br>Not Claimed                    | Certified Copy Attached?<br>YES NO                           |  |  |  |
|   |  |  |  |  |  |  |  |

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

# **DECLARATION** — Utility or Design Pat nt Application

| Direct all correspondence to: Customer N  |         |                     |                  | OR Corr                           | respondence address below |
|---|---------|---------------------|------------------|-----------------------------------|---------------------------|
| or Bar Code   | e Label |                     |                  |                                   | , addiess neiOM           |
|   |         | 228<br>PATENT TRADE |                  | <b>TCE</b>                        |                           |
| Name  |         | IKADE               | Ur.              |                                   |                           |
| Address   |         |                     |                  |                                   |                           |
|   |         |                     |                  |                                   |                           |
| City  | _       |                     | State            |                                   | ZIP                       |
|   | 1       |                     |                  |                                   |                           |
| Country   | Tele    | phone               |                  |                                   | Fax                       |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. |         |                     |                  |                                   |                           |
| NAME OF SOLE OR FIRST INVENTOR  | :[      | A petition h        | nas bee          | en filed for this unsigr          | ned inventor              |
| Given Name Greg<br>(first and middle [if any])  | ıg B.   |                     |                  | y Name<br>rname                   | Morin .                   |
| Inventor's<br>Signature   |         |                     |                  |                                   | Date                      |
|   |         | Ctata               |                  | Country                           | US                        |
| Residence: City   |         | State               |                  | Country                           | Citizenship               |
| 251 Atwo<br>Mailing Address   | ell Dri | <sup>i</sup> ve     |                  |                                   |                           |
| wiiing Auditees   |         |                     |                  | <u></u>                           |                           |
| Toronto   |         | Can:                | ada              | M9W 7H4                           | CA                        |
| NAME OF SECOND INVENTOR:  |         |                     | s has            | ן בוף<br>ה filed for this unsigne |                           |
| NAME OF SECOND INVENTOR:  | <u></u> | A pention ha        | .s been          | ioi uiis unsigne                  | - a mitoritol             |
| Given Name Serg<br>(first and middle [if any])  | ge P.   |                     | Family<br>or Sun |                                   | Lichtsteiner              |
| Inventor's<br>Signature   |         |                     |                  |                                   | Date                      |
| Encinitas<br>Residence: City  |         | C.A. State          | 4                | US<br>Country                     | CH<br>Citizenship         |
| 1617 Honeys<br>Mailing Address  | suckle  | ∋ Court             |                  | -                                 |                           |
| Encinitas<br>City   |         | C/<br>State         | A                | 92024<br>ZIP                      | US                        |
| Additional inventors are being named on the   | 1 sur   |                     | anal Inve        | <del></del>                       | · <del>•</del>            |

#### **DECLARATION**

### **ADDITIONAL INVENTOR(S)** Supplemental Sheet Page 3 of 3

| Name of Additio            | nal Joint Inventor, if an  | y:                  | A petition has been fi     | led for thi | s unsigned inventor |
|----------------------------|----------------------------|---------------------|----------------------------|-------------|---------------------|
| Given<br>Name              | Alain P.                   |                     | Family Name<br>or Surname  |             | Vasserot            |
| Inventor's \( \) Signature |                            |                     |                            |             | Date                |
| Residence: City            | Carlsbad                   | California<br>State | Country                    | c           | CH<br>Sitizenship   |
| Mailing Address            | 6421 La Palon              | na                  |                            |             |                     |
| Mailing Address            |                            |                     |                            |             |                     |
| City                       | Carlsbad                   | StateCalifornia     | 2IP 92009                  | Country     | , US                |
| Name of Additio            | nal Joint Inventor, if an  | y:                  | ☐ A petition has been file | ed for this | unsigned inventor   |
| Given<br>Name              | Robert R.                  |                     | Family Name or Surname     |             | Adams               |
| Inventor's<br>Signature    |                            |                     |                            |             | Date                |
| Residence: City            | Redwood City               | State California    | Country US                 |             | Citizenship US      |
| Mailing Address            | 419 Hillway Dri            | •                   |                            |             |                     |
| Mailing Address            |                            |                     |                            |             |                     |
| City                       | Redwood City               | State Californi     | a <sub>ZIP</sub> 94062     | Country     | , us                |
| Name of Addition           | onal Joint Inventor, if ar | ıy: [               | A petition has been file   | d for this  | unsigned inventor   |
| Given<br>Name              | William H.                 |                     | Family Name<br>or Surname  |             | Andrews             |
| Inventor's<br>Signature    |                            |                     |                            | _           | Date                |
| Residence: City            |                            | State               | Country                    |             | US<br>Citizenship   |
| Mailing Address            | 250 South Rock Boulev      | ard, Suite 130      |                            |             |                     |
| Mailing Address            |                            |                     |                            |             |                     |
| City                       | · Reno                     | State Nevada        | a 89502-230                | D1 Cou      | untry               |

|   | Attorney Docket Number | 019/246P               |  |
|---|------------------------|------------------------|--|
| DECLARATION FOR UTILITY OR DESIGN                                   | First Named Invent r   | Gregg B. Morin, et al. |  |
| PATENT APPLICATION  | COMPLETE IF KNOWN      |                        |  |
| (37 CFR 1.63)   | Application Number     | 09 / 244,438           |  |
| Declaration Declaration   | Filing Date            | February 4, 1999       |  |
| Submitted OR Submitted after Initial with Initial Filing (surcharge | Art Unit               | 1635                   |  |
| Filing (37 CFR 1.16 (e)) required)                                  | Examiner Name          | Richard A. Schnizer    |  |

| As the below named inventor, I her   | eby declare that:   | <del></del> -  |  |  |
|--|---|--|--|--|
| My residence, mailing address, and ci  | itizenship are as stated belo   | ow next to my name.  |  |  |
| I believe I am the original and first inve   | entor of the subject matter   | which is claimed and for wh                                      | ich a patent is sou                          | ght on the invention entitled:                               |
| Telomerase   | Promoter Driving Exp  | ression of Therapeutic   | : Gene Sequen                                |  |
|  | (77)  |  | w  |  |
| the specification of which   | (Title of the I   | Invention)   |  | UA.  |
| ine specification of which   |   |  |  | COPY   |
| is attached hereto   |   |  |  | •  |
| OR was filed on (MM/DD/YYYY)   | 02/04/1999  | as United States A   | pplication Number                            | or PCT International   |
| L  |   |  |  |  |
| Application Number 09/244,4  | and was amend   | led on (MM/DD/YYYY)  |  | (if applicable).   |
| I hereby state that I have reviewed and any amendment specifically referred to   | d understand the contents of above.   | of the above identified speci                                    | fication, including t                        | he claims, as amended by                                     |
| I acknowledge the duty to disclose info<br>applications, material information whic<br>international filing date of the continua  | h became available betwee   | o patentability as defined in<br>en the filing date of the prior | 37 CFR 1.56, incluapplication and the        | iding for continuation-in-part<br>e national or PCT          |
| I hereby claim foreign priority benefits<br>breeder's rights certificate(s), or 365(<br>States of America, listed below and h<br>breeder's rights certificate(s), or any<br>claimed. | <ul> <li>a) of any PCT international<br/>have also identified below.</li> </ul> | l application which designated by checking the box. any for      | ited at least one co<br>preign application f | ountry other than the United for patent, inventor's or plant |
| Prior Foreign Application<br>Number(s)   | Country   | Foreign Filing Date<br>(MM/DD/YYYY)                              | Priority<br>Not Claimed                      | Certified Copy Attached? YES NO                              |
|  | ·   | ,  |  |  |
| Additional foreign application nu  | mbers are listed on a suppl   | emental priority data sheet I                                    | PTO/SB/02B attack                            | ned hereto:  |

# **DECLARATION** — Utility or Design Patent Application

| Direct all correspondence to:   | Customer Nor Bar Code |         |                     |                  | OR [              | Corre       | espondence addr  | ess below |
|---|-----------------------|---------|---------------------|------------------|-------------------|-------------|------------------|-----------|
| Name  |                       |         | 228<br>PATENT TRADI | 869<br>EMARK OF  | FICE              |             |                  |           |
| Address   |                       |         |                     |                  |                   |             |                  |           |
| City  |                       |         |                     | State            |                   |             | ZIP              |           |
| Country   |                       | Tele    | phone               |                  |                   |             | Fax              |           |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. |                       |         |                     |                  |                   | the like so |                  |           |
| NAME OF SOLE OR FIF   | RST INVENTOR          | : [     | A petition h        | nas bee          | en filed for this | unsign      | ed inventor      |           |
| Given Name Gregg B. Family Name Morin  (first and middle [if any]) or Surname   |                       |         |                     |                  |                   |             |                  |           |
| Inventor's<br>Signature   | 2 B. M                | M       | <u>``</u>           |                  |                   |             | May 30,          | 02        |
| Residence: City   | DAKVILLE              |         | State DNTAH         | אנס              | Country CA        | NADA        | Citizenship      | US        |
| Mailing Address   | 251 Atw               | ell Dri | ve                  |                  |                   |             |                  |           |
| City  | Toronto               |         | Can<br>State        | ada              | M9W<br>ZIP        | 7H4         | Country          | CA        |
| NAME OF SECOND IN   | /ENTOR:               |         | A petition ha       | s been           | filed for this u  | ınsigne     | d inventor       |           |
| Given Name<br>(first and middle [if any])   | Serç                  | ge P.   |                     | Family<br>or Sur | Name<br>name      |             | Lichtsteiner     |           |
| Inventor's<br>Signature   |                       |         |                     |                  |                   |             | Date             |           |
| Residence: City   | Encinitas             |         | C/<br>State         | Α                | Country (         | US          | Citizenship      | СН        |
| Mailing Address   | 1617 Honey            | /suckle | Court               |                  |                   |             | ·                |           |
| City  | Encinitas             |         | C/<br>State         | A                | 9202<br>ZIP       | 24          | Country          | US        |
| Additional inventors are t  | being named on the    | 1 sup   | oplemental Additi   | onal Inve        | entor(s) sheet(s) | PTO/SB/     | 02A attached her | reto.     |

### **DECLARATION**

**ADDITIONAL INVENTOR(S)** Supplemental Sheet Page 3 of 3

|                         |                           |                     |                           |                 |           | <del></del>          |
|-------------------------|---------------------------|---------------------|---------------------------|-----------------|-----------|----------------------|
| Name of Addition        | al Joint Inventor, if an  | у:                  | ☐ A petition              | has been filed  | 1 for thi | is unsigned inventor |
| Given<br>Name           | Alain P.                  |                     | Family Name<br>or Surname | <b>)</b>        |           | Vasserot             |
| Inventor's<br>Signature |                           | -                   |                           |                 |           | Date                 |
| Residence: City         | Berkeley                  | California<br>State | Country                   | US              | c         | CH<br>Citizenship    |
| Mailing Address         | 1158 Park Hills R         | oad                 |                           |                 |           |                      |
| Mailing Address         |                           |                     |                           |                 |           |                      |
| City                    | Berkeley                  | StateCalifornia     | a <sub>ZIP</sub> 94       | 1708 c          | ountry    | , US                 |
| Name of Addition        | al Joint Inventor, if any | y:                  | A petition h              | nas been filed  | for this  | s unsigned inventor  |
| Given<br>Name           | Robert R.                 |                     | Family Nam                |                 |           | Adams                |
| Inventor's<br>Signature |                           |                     |                           |                 |           | Date                 |
| Residence: City         | Redwood City              | State Californi     | Country                   | US              |           | Citizenship US       |
| Mailing Address         | 419 Hillway Driv          | ve                  |                           |                 |           |                      |
| Mailing Address         |                           |                     |                           |                 |           |                      |
| City                    | Redwood City              | Californi<br>State  | ia <sub>ZIP</sub> 94      | 4062 c          | ountry    | US                   |
| Name of Addition        | nal Joint Inventor, if an | y: [                | A petition ha             | as been filed f | or this   | unsigned inventor    |
| Given<br>Name           | William H.                |                     | Family Name or Surname    |                 |           | Andrews              |
| Inventor's<br>Signature |                           |                     |                           |                 |           | Date                 |
| Residence: City         | Richmond                  | Californi<br>State  | ia Country                | US              |           | US<br>Citizenship    |
| Mailing Address         | 6102 Park Ave             | enue                |                           |                 |           |                      |
| Mailing Address         |                           |                     |                           |                 |           |                      |
| City                    | Richmond                  | State Californ      | ia ZIP                    | 94805           | Cot       | untry US             |

| DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION       |  | Attorn y D cket Numb | r 019/246P             |
|--|--|----------------------|------------------------|
|  |  | First Named Inventor | Gregg B. Morin, et al. |
|  |  | COMPLETE IF KNOWN    |                        |
|  | (37 CFR 1.63)                                |                      | 09 / 244,438           |
| Declaration Declaration                                    | Filing Date                                  | February 4, 1999     |                        |
| Submitted  | OR Submitted after Initial Filing (surcharge | Art Unit             | 1635                   |
| with Initial Filing (surcharge (37 CFR 1.16 (e)) required) | (37 ČFR 1.16 (e))                            | Examiner Name        | Richard A. Schnizer    |

| As the below named inventor, I here  | eby declare that:             |                                     |                         |                                 |  |
|--|-------------------------------|-------------------------------------|-------------------------|---------------------------------|--|
| My residence, mailing address, and ci  | tizenship are as stated belo  | w next to my name.                  |                         |                                 |  |
| I believe I am the original and first inve   | entor of the subject matter v | vhich is claimed and for wh         | ich a patent is soug    | tht on the invention entitled:  |  |
| Telomerase Promoter Driving Expression of Therapeutic Gene Sequences   |                               |                                     |                         |                                 |  |
|  |                               |                                     |                         |                                 |  |
| the energianting of which  | (Title of the la              | nvention)                           |                         |                                 |  |
| the specification of which   |                               |                                     |                         |                                 |  |
| is attached hereto   |                               |                                     |                         |                                 |  |
| OR   |                               |                                     |                         |                                 |  |
| was filed on (MM/DD/YYYY)  | 02/04/1999                    | as United States A                  | Application Number      | or PCT International            |  |
| L  |                               |                                     |                         |                                 |  |
| Application Number 09/244,4  | 138 and was amend             | ed on (MM/DD/YYYY)                  |                         | (if applicable).                |  |
| Application Number 00/244,   | 2 IId Was amond               |                                     |                         | (ii applicable).                |  |
| I hereby state that I have reviewed and any amendment specifically referred to   |                               | of the above identified spec        | ification, including t  | he claims, as amended by        |  |
| I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT   |                               |                                     |                         |                                 |  |
| international filing date of the continuation-in-part application.   |                               |                                     |                         |                                 |  |
| I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed. |                               |                                     |                         |                                 |  |
| Prior Foreign Application<br>Number(s)   | Country                       | Foreign Filing Date<br>(MM/DD/YYYY) | Priority<br>Not Claimed | Certified Copy Attached? YES NO |  |
| , ,  |                               | ,                                   |                         |                                 |  |
| Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:  |                               |                                     |                         |                                 |  |

# **DECLARATION** — Utility or D sign Patent Application

| Direct all correspondence to: Customer Number or Bar Code Lab  |                               |                          | OR Com  | espondence address below   |  |
|--|-------------------------------|--------------------------|---|----------------------------|--|
| Name   | 22869 PATENT TRADEMARK OFFICE |                          |   |                            |  |
|  |                               |                          |   |                            |  |
| Address  |                               | _                        |   |                            |  |
|  |                               |                          |   |                            |  |
| City   |                               | State                    | <del> </del>  | ZIP                        |  |
| Country Tel  | lephone                       |                          |   | Fax                        |  |
| I hereby declare that all statements made herein of my are believed to be true; and further that these statemer made are punishable by fine or imprisonment, or both, to validity of the application or any patent issued thereon. | nts were made witl            | h the knowled            | dge that willful false  | statements and the like so |  |
| NAME OF SOLE OR FIRST INVENTOR:  | A petition h                  | as been file             | ed for this unsign  | ned inventor               |  |
| Given Name Gregg B.<br>(first and middle [if any])   |                               | Family Nam<br>or Surname |   | Morin                      |  |
| Inventor's<br>Signature  |                               |                          |   | Date                       |  |
| Paridamen Cita   | 84-4-                         |                          | intni   | US                         |  |
| Residence: City  251 Atwell D  Mailing Address   | State                         | I COU                    | untry   | Citizenship                |  |
|  |                               | ads                      | A40141 7114   |                            |  |
| Toronto<br>City  | Can<br>State                  | ada ZIP                  | M9W 7H4   | CA<br>Country              |  |
| NAME OF SECOND INVENTOR:   | A petition ha                 | s been filed             | d for this unsigne  | d inventor                 |  |
| Given Name Serge P.  (first and middle [if any])   |                               | Family Nam<br>or Surname |   | Lichtsteiner               |  |
| Inventor's Signature   | - Ce-                         |                          | Name of the state | 06/05/2002<br>Date         |  |
| Encinitas<br>Residence: City   | C/<br>State                   |                          | US<br>untry   | CH<br>Citizenship          |  |
| 1617 Honeysuck<br>Mailing Address  | le Court                      |                          |   |                            |  |
| Encinitas<br>City  | C/<br>State                   | A ZIP                    | 92024   | US<br>Country              |  |
| Additional inventors are being named on the 1 s  | upplemental Addition          | onal Inventor(           | s) sheet(s) PTO/SB/   | 02A attached hereto.       |  |

### **DECLARATION**

ADDITIONAL INVENTOR(S) Supplem ntal Sheet Page 3 of 3

| Name of Addition                           | nal Joint Inventor, if an | y:          |            | ☐ A pet               | ition has been f | filed for th | nis unsigned inventor |
|--|---------------------------|-------------|------------|-----------------------|------------------|--------------|-----------------------|
| Given<br>Name                              | Alain P.                  |             |            | Family N              |                  |              | Vasserot              |
| Inventor's<br>Signature                    |                           |             |            |                       |                  |              | Date                  |
| Residence: City                            | Berkeley                  | Ca<br>State | alifornia  | Country               | US               |              | CH<br>Citizenship     |
| Mailing Address                            | 1158 Park Hills F         | load        |            | ··· <u> </u>          |                  |              |                       |
| Mailing Address                            |                           |             |            | <u>_</u>              |                  |              |                       |
| City                                       | Berkeley                  | State       | alifornia  | ZIP                   | 94708            | Countr       | y US                  |
| Name of Additional Joint Inventor, if any: |                           |             |            |                       |                  |              |                       |
| Given<br>Name                              | Robert R.                 |             |            | Family or Surn        |                  |              | Adams                 |
| Inventor's<br>Signature                    |                           | _           |            | -                     |                  |              | Date                  |
| Residence: City                            | Redwood City              | State       | alifornia  | Country               | US               |              | Citizenship US        |
| Mailing Address                            | 419 Hillway Drive         |             |            |                       |                  |              |                       |
| Mailing Address                            |                           |             |            |                       |                  |              |                       |
| City                                       | Redwood City              | State       | California | ZIP                   | 94062            | Countr       | y US                  |
| Name of Addition                           | nal Joint Inventor, if ar | ıy:         |            | A petition            | on has been file | d for this   | unsigned inventor     |
| Given<br>Name                              | William H.                |             |            | amily Nar<br>r Surnam |                  |              | Andrews               |
| Inventor's<br>Signature                    |                           |             |            |                       | 2.               |              | Date                  |
| Residence: City                            | Richmond                  | State       | California | Count                 | ry US            | 5            | US<br>Citizenship     |
| Mailing Address                            | 6102 Park Ave             | enue        |            |                       |                  |              |                       |
| Mailing Address                            |                           |             |            | -                     |                  |              |                       |
| City                                       | Richmond                  | State (     | California | a ZIP                 | 94805            | Co           | US                    |

| DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION |   | Attorney D cket Number | er 019/246P            |                     |  |
|--|---|------------------------|------------------------|---------------------|--|
|  |   | First Named Invent r   | Gregg B. Morin, et al. |                     |  |
|  |   | COMPLETE IF KNOWN      |                        |                     |  |
|  | (37 CFR 1.63)   |                        | Application Number     | 09 / 244,438        |  |
| Decl   | Declaration Submitted OR Submitted after Initial with Initial Submitted Submitted after Initial Filing (surcharge | Filing Date            | February 4, 1999       |                     |  |
| Subr   |   | Art Unit               | 1635                   |                     |  |
|  | with Initial Filing (surcharge (37 CFR 1.16 (e)) required)  |                        | Examiner Name          | Richard A. Schnizer |  |
|  |   |                        |                        |                     |  |

|  | required)  | CAMITINE INMITE                     | <u> </u>                |                                 |  |
|--|--|-------------------------------------|-------------------------|---------------------------------|--|
| As the below named inventor, I her   | As the below named inventor, I hereby declare that:                            |                                     |                         |                                 |  |
| My residence, mailing address, and c   | itizenship are as stated belo  | ow next to my name.                 |                         |                                 |  |
| I believe I am the original and first inv  | entor of the subject matter v  | which is claimed and for w          | hich a patent is sou    | ght on the invention entitled:  |  |
| Telomerase Promoter Driving Expression of Therapeutic Gene Sequences  (Title of the Invention)   |  |                                     |                         |                                 |  |
|  | (Title of the I  | nvention)                           |                         | 4                               |  |
| is attached hereto   |  |                                     |                         |                                 |  |
| OR  was filed on (MM/DD/YYYY)  02/04/1999  as United States Application Number or PCT International  |  |                                     |                         |                                 |  |
| Application Number 09/244,   | Application Number 09/244,438 and was amended on (MM/DD/YYYY) (if applicable). |                                     |                         |                                 |  |
| I hereby state that I have reviewed an any amendment specifically referred to  |  | of the above identified spe         | cification, including t | he claims, as amended by        |  |
| I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.  |  |                                     |                         |                                 |  |
| I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed. |  |                                     |                         |                                 |  |
| Prior Foreign Application<br>Number(s)   | Country  | Foreign Filing Date<br>(MM/DD/YYYY) | Priority<br>Not Claimed | Certified Copy Attached? YES NO |  |
|  |  |                                     |                         |                                 |  |
| Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:  |  |                                     |                         |                                 |  |

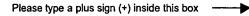
### **DECLARATION** — Utility or D sign Patent Application

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| Direct all correspondence to: Customer Number or Bar Code Label OR Correspondence address below   |  |                  |                            |                            |
|   | 228  | 69               |                            |                            |
|   | ZZO! PATENT TRADEM   |                  | CE                         |                            |
| Name  | LVIEWI IKVDEY  | J. FI            |                            |                            |
| ,   |  |                  |                            |                            |
| Address   |  |                  |                            |                            |
|   |  | T                |                            |                            |
| Cit.  |  |                  |                            | 710                        |
| City  |  | State            |                            | ZIP                        |
|   | 'anhers  |                  |                            | Fav                        |
|   | lephone  |                  |                            | Fax                        |
| I hereby declare that all statements made herein of my dare believed to be true; and further that these statemer made are punishable by fine or imprisonment, or both, to validity of the application or any patent issued thereon. | nts were made wit  | th the kno       | owledge that willful false | statements and the like so |
| NAME OF SOLE OR FIRST INVENTOR :  | A petition h   | nas bee          | en filed for this unsign   | ned inventor               |
| Church N  | l  |                  |                            | Morin                      |
| Given Name Gregg B.  (first and middle [if any])  | `  | Family or Sur    | y Name<br>mame             | Morin                      |
| посени иниче (и апуј)   |  | or Sul           | riui(IE                    | T                          |
| Inventor's<br>Signature   |  |                  |                            | Date                       |
|   |  |                  |                            |                            |
| Residence: City   | State  | Ì                | Country                    | US<br>Citizenship          |
| Residence: City   | 1 2446   |                  |                            | ,                          |
| 251 Atwell D  | rive   |                  |                            |                            |
| Mailing Address   | <del></del>  |                  |                            | 1                          |
| <b></b>   | Can  | ada              | M9W 7H4                    | CA                         |
| Toronto City  | State  | ua               | ZIP                        | Country                    |
| NAME OF SECOND INVENTOR:  |  | s heer           | filed for this unsigne     |                            |
| NAME OF SECOND INVENTOR:  | Whengou Us   | Deell            | ioi una unaigne            |                            |
| Given Name Serge P. (first and middle [if any])   |  | Family<br>or Sur |                            | Lichtsteiner               |
|   |  |                  |                            |                            |
| Inventor's  |  |                  |                            | Data                       |
| Signature   |  |                  |                            | Date                       |
| Encinitas   | C/   | 4                | us                         | СН                         |
| Residence: City   | State  | · •              | Country                    | Citizenship                |
|   |  |                  |                            |                            |
| 1617 Honeysuck<br>Mailing Address   | de Court   |                  |                            | <del></del>                |
| Encinitas   | C  | Α                | 92024                      | US                         |
| City  | State  | •                | ZIP                        | Country                    |
|   | Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto. |                  |                            |                            |

#### **DECLARATION**

### ADDITIONAL INVENTOR(S) Supplemental Sheet Page 3 of 3

| Name of Additio                                     | nal Joint Inventor, if any | <u>':</u>           | A petition has been f     | iled for thi | is unsigned inventor |
|---|----------------------------|---------------------|---------------------------|--------------|----------------------|
| Given<br>Name                                       | Alain P.                   |                     | Family Name<br>or Surname |              | Vasserot             |
| Inventor's<br>Signature                             |                            |                     |                           |              | Date                 |
| Residence: City                                     | Carlsbad                   | California<br>State | US                        |              | CH<br>Citizenship    |
| Mailing Address                                     | 6421 La Paloma             |                     |                           |              |                      |
| Mailing Address                                     |                            | <i>i</i>            |                           |              |                      |
| City  | Carlsbad                   | State California    | z <sub>IP</sub> 92009     | Country      | US                   |
| Name of Additional Joint Inventor, if any:          |                            |                     |                           |              |                      |
| Given<br>Name                                       | Robert R.                  | ,                   | Family Name or Surname    |              | Adams                |
| Inventor's<br>Signature                             |                            |                     |                           |              | Date                 |
| Residence: City                                     | Redwood City               | State California    | Country US                |              | Citizenship US       |
| Mailing Address                                     | 419 Hillway Driv           | /e                  |                           | <u> </u>     |                      |
| Mailing Address                                     |                            |                     |                           |              |                      |
| City  | Redwood City               | Californi<br>State  | a <sub>ZIP</sub> 94062    | Country      | y. US                |
| Name of Addition                                    | onal Joint Inventor, if an | y: [                | A petition has been file  | d for this   | unsigned inventor    |
| Given<br>Name                                       | William H.                 |                     | Family Name<br>or Surname |              | Andrews              |
| Inventor's Signature                                |                            |                     |                           |              | Date 7/10/02         |
| Residence: City                                     |                            | State               | Country                   |              | Citizenship          |
| Mailing Address 250 South Rock Boulevard, Suite 130 |                            |                     |                           |              |                      |
| Mailing Address                                     |                            |                     |                           |              |                      |
| City  | Reno                       | State Nevada        | a 89502-230               | 01   Co      | untry                |



PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035
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#### **POWER OF ATTORNEY OR AUTHORIZATION OF AGENT**

| Application Number     | 09/244,438  |
|------------------------|---|
| Filing Date            | February 4, 1999  |
| First Named Inventor   | Gregg B. Morin, et al.  |
| Title                  | Telomerase Reverse Transcriptase Transcriptional Regulatory<br>Sequences and Methods of Using |
| Group Art Unit         | 1635  |
| Examiner Name          | Richard A. Schnizer   |
| Attorney Docket Number | 019/246P  |

| I hereby appoint:   |   |                                     |  |  |
|---|---|-------------------------------------|--|--|
| OR  | named below:  | Number Ber Code Label Depart OFFICE |  |  |
| L Practitioner(s)   | Name  | Registration Number                 |  |  |
|   | ivaine  | Registration Number                 |  |  |
|   |   |                                     |  |  |
| -   |   |                                     |  |  |
| ·   |   |                                     |  |  |
|   | or agent(s) to prosecute the application ide<br>d States Patent and Trademark Office conr |                                     |  |  |
|   | orrespondence address for the above-identi  |                                     |  |  |
|   | tioned Customer Number.   | ned application to.                 |  |  |
| OR  |   | Place Customer                      |  |  |
|   | Customer Number   | Number Bar Code Label here          |  |  |
| OR Firm or  |   |                                     |  |  |
| Individual Name   |   |                                     |  |  |
| Âddress   |   |                                     |  |  |
| Address   |   |                                     |  |  |
| City  | 15  | State Zip                           |  |  |
| Country   |   | - <del> </del>                      |  |  |
| Telephone   |   | fax                                 |  |  |
| I am the:   |   |                                     |  |  |
| Applicant/Inve  | entor.  |                                     |  |  |
| Assignee of record of the entire interest. See 37 CFR 3.71.  Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).  |   |                                     |  |  |
|   | SIGNATURE of Applicant or Assigne   | e of Record                         |  |  |
|   | David J. Earp, Regis  | tration No. 41,401                  |  |  |
| Name  | Vice President, Intellectual Property, Geron Corporation                                  |                                     |  |  |
| Signature   | JUE ON A  | 4 2                                 |  |  |
| Date  |   | April 20, 2002                      |  |  |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below. |   |                                     |  |  |
| ☑ *Total of1  | _form is submitted.   |                                     |  |  |

#### STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Geron Corporation

Application No./Patent No.: 09/244,438

Filing Date: February 4, 1999

COPY TELOMERASE PROMOTER DRIVING EXPRESSION OF THERAPEUTIC

GENE SEQUENCES

GERON CORPORATION, a corporation, states that it is the assignee of the entire right, title, and interest in the patent application/patent identified above by virtue of:

An assignment from the inventors of the claimed subject matter to Geron Corporation, a true copy of which is attached hereto.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

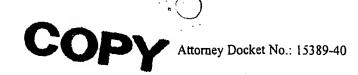
Stpt- 29, 2003

David J. Earp, Registration No. 41,401

Typed or Printed Name

Vice President, Intellectual Property

Title



#### ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Gregg B. Morin, of 3407 Janice Way, Palo Alto, CA 94303, US, Serge Lichtensteiner, of 19385 Phil Lane, Cupertino, CA 95014, Alain Vasserot, of 1158 Park Hills Road, Berkeley, CA 94708, Robert Adams, of 419 Hillway Drive, Redwood City, CA 94062, US, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

| Tide of the section o | THE OLDER AGE        | DELEBOR        |
|--|----------------------|----------------|
| Title of Invention:  | <u>TELOMERASE</u>    | <u>REVERSE</u> |
|  | TRANSCRIPTASE TRANSC | RIPTIONAL      |
|  | REGULATORY SEQUENC   | CES AND        |
|  | METHODS OF USING     |                |
|  |                      |                |
| Date(s) of execution of De   | eclaration:          | <del></del>    |
| Filing Date:   | February 4, 1999     |                |
| Application No.:   | 09/244,438           | ; and          |
|  |                      |                |

WHEREAS, Geron Corporation, with a place of business at 230 Constitution Drive, Menlo Park, CA, 94025, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignment Application No.: 09/244,438 Page 2

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated:

Dated:

Dated:

Serge Lichtensteiner

Vasserot

Robert Adams

SF 202915 v1

WHEKEAS, Karen B. Chapman, Gregg B. Morin, Calvin Harley and William H. Andrews; hereinafter referred to as "Assignors", are co-inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: HUMAN TELOMERASE CATALYTIC SUBUNIT: DIAGNOSTIC AND

THERAPEUTIC METHODS

Filing date: August 14, 1997 Serial No.: 08/912,951; and

WHEREAS, GERON CORPORATION with place of business at 230 Constitution Drive, Menlo Park, California 94025 hereinafter referred to as "Assignee", is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application an to all foreign counterparts (including patent, utility model and industrial designs), and all future improvements thereon, and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries through out the world. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of an division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

| Karen B. Chapman        | 7/21/98<br>Date                      |
|-------------------------|--------------------------------------|
| SIGNATURE WITNESSED BY: |                                      |
| (1) Date:               | Signature of Witness 1               |
|                         | [Printed or Typed Name of Witness 1] |
| (2) Date:               | Signature of Witness 2               |
|                         | Printed or Typed Name of Witness 21  |

| Jug B. M.                  | Mu- 7/3/98  |
|----------------------------|---|
| Grogg B. Morin             | Date /  |
| SIGNATURE WITNESSED BY:    | •   |
| (1) Date: <u>7/30/98</u>   | Signature of Witness 1  TARA FAENZA                                       |
|                            | [Printed or Typed Name of Witness 1]                                      |
| (2) Date:                  | Signature of Witness 2  |
| Enter :                    | [Printed or Typed Name of Witness 2] $\frac{7}{30/9}$                     |
| Cal B. Harry Calvin Harley | Date  |
| (1) Date: $\frac{7/30}{9}$ |   |
|                            | Signature of Witness 1  TARA FACNEA  [Printed or Typed Name of Witness 1] |
| (2) Date:                  | Signature of Witness 2  |

[Printed or Typed Name of Witness 2]

| William H. Andrews      |                                      |
|-------------------------|--------------------------------------|
| SIGNATURE WITNESSED BY: |                                      |
| (1) Date:               | Signature of Witness 1               |
| (2) Deter               | [Printed or Typed Name of Witness 1] |
| (2) Date:               | Signature of Witness 2               |
|                         | [Printed or Typed Name of Witness 2] |